

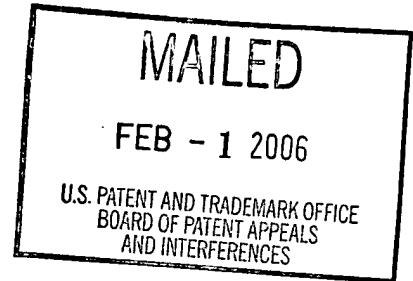
The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARK S. ABAD,
SCOTT E. ANDERSEN,
PATRICE DUBOIS,
DEBBIE A. MAHADEO, and
JAMES D. MASUCCI

Appeal No. 2005-1165
Application 09/696,664



ORDER DISMISSING APPEAL

Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge,
ADAMS, Administrative Patent Judge.

Per curiam.

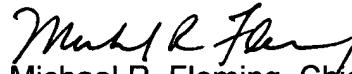
On February 13, 2003, appellant filed a Notice of Appeal. On January 17, 2006, appellants filed a communication requesting that this application be "expressly abandoned under 37 C.F.R. §1.138(a) upon entry of the Amendment filed January 6, 2006." Appellants also noted that a continuation application was filed on January 12, 2006.

Accordingly, it is

ORDERED that the appeal filed February 13, 2003, is dismissed.

Appeal No. 2005-1165
Application 09/696,664

The application is being returned to the examiner for further action as may be appropriate.


Michael R. Fleming, Chief
Administrative Patent Judge


Gary V. Harkcom, Vice Chief
Administrative Patent Judge


Donald E. Adams
Administrative Patent Judge

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BOARD OF PATENT
APPEALS AND
INTERFERENCES

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